

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.SASIDHARAN NAMBIAR

MONDAY, THE 27TH NOVEMBER 2006 / 6TH AGRAHAYANA 1928

WP(C).No. 11729 of 2005(U)

AGAINST THE ORDER DATED 05 /03 /2005IN EA.125/04IN EP.87/04 IN
OS.276/2001 of PRL.MUNSIFF, KASARAGOD
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PETITIONER:

U.J.KURIAN S/O. JOSEPH T.K.,
ULLATTIL HOUSE, PERUMUNDE KADAMANE BADIADKA
VILLAGE, KASARAGOD TALUK, P.O. PERADALA.

BY ADV. SMT.A.G.ANEETHA
SMT.ASHA CHACKO
SMT.ASHA SADASIVAN

RESPONDENTS:

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1. DAISA PHILIP W/O. LATE N.S.JOSE,
RESIDING AT MANNOOR HOUSE TEMPLE ROAD,
TRICHAMBRAM, TALIPARAMBA P.O., KANNUR DISTRICT.
 2. DELNA JOSE (MINOR D/O. LATE N.S.JOSE,
MANNOOR HOUSE, TEMPLE ROAD, THRICAMBRAM,
TALIPARAMBA P.O., KANNUR DISTRICT.
 3. DEENA JOSE (MINOR) D/O. LATE N.S.JOSE,
DO. DO.
RESPONDENTS 2 AND 3 ARE MINORS REP.BY THEIR MOTHER
AND NATURAL GUARDIAN 1ST RESP.DAISA PHILIP
W/O. LATE N.S.JOSE, MANNOOR HOUSE, TEMPLE ROAD,
THRICAMBRAM, THALIPARAMBA P.O., KANNUR DISTRICT.

BY ADV. SMT.MARY BEENA JOSEPH-R1

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 27/11/2006, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

M.SASIDHARAN NAMBIAR, J.

W.P.(C)NO.11729 OF 2005

DATED THIS THE 27th DAY OF NOVEMBER, 2006

JUDGMENT

Learned Counsel appearing for petitioner/judgment debtor and respondents/decreed holders submit that they have settled the dispute between them and respondents/decreed holders may be permitted to withdraw Rs.20,000/-, which was deposited by petitioner before the executing Court pursuant to order of this Court dated, 6.4.05. I.A.1622/06 filed for that purpose allowed and decreed holders are permitted to withdraw the said amount.

2. Learned Counsel appearing for both sides submit that this petition may be dismissed and they will seek order of dismissal of the execution petition before the executing Court as the disputes were settled.

Petition dismissed accordingly.

M.SASIDHARAN NAMBIAR, JUDGE

Acd

